

## REMARKS

At the outset, the undersigned wishes to thank Exr. Akintola for his time and courtesy during the recent telephone interview of January 14, 2009.

During the interview, (and in view of the "Response to Arguments" section of the outstanding Office Action) it became clear that The Office has maintained the obviousness rejections over Walker/Larche/Lacosta at least in part due to the interpretation that the recitation "creating or updating a case folder for the requestor, the case folder including the selected checklist of data." Specifically, the Office believed that "the selected checklist of data" should be "a selected checklist of data" (as in, any checklist will do), and that Walker teaches "a selected checklist of data including identification, phone, employment, income, etc (Col 3, lines 9-19)".

Rather than any checklist of data, the claimed embodiments specifically recite "the selected checklist of data", which is significant. Indeed, the selected checklist of data is that checklist of data (of the plurality of provided checklists) that was previously selected based upon a combination of the assigned Credit Classification and the determined Type of Review. Claim 1 recites:

providing a plurality of checklists of data items to be collected, the data items of each provided checklist being determined at least by a combination of the assigned Credit Classification and the determined Type of Review;

storing the plurality of checklists of data items to be collected;

selecting one of the plurality of checklists of data items to be collected based upon the combination of the assigned Credit Classification and the determined Type of Review

Claim 1, therefore, requires that a plurality of checklists of data items be provided, that the plurality of checklists of data items be stored and that one of the plurality of provided checklists of data items be selected. Thereafter, claim 1 calls for a step of:

**creating or updating a case folder for the requestor, the case folder including the selected checklist of data items to be collected;**

Therefore, the case folder does not include just any checklist of data items, but the previously selected one of the plurality of provided checklists of data items that was selected based upon the combination of the assigned Credit Classification and the determined Type of Review. The selecting step gives antecedent basis for the later use of the phrase “the selected checklist of data items” used later in the claim. The Examiner is urged to give this limitation its due weight.

Therefore, the selected checklist of data items is, indeed, correct, and expressly requires the checklist of data items to be the previously selected one of the plurality of provided checklists of data items that was selected based upon the combination of the assigned Credit Classification and the determined Type of Review.

The applied combination does not teach or suggest such, as was explained in detail during the recent telephone interview.

In the Office Action of October 27, 2008, claims 1, 15, 24, 34, 48, 57, 61, 75 and 84 were rejected under 35 U.S.C. §103(a) as being unpatentable over Walker in view of Larche et al. and/or Acosta et al. Reconsideration and withdrawal of these rejections are respectfully requested, for the following reasons.

The final Office Action acknowledges that Walker does not teach:

providing a plurality of checklists of data items to be collected, the data items of each provided checklist being determined at least by a combination of the assigned Credit Classification and the determined Type of Review;

storing the plurality of checklists of data items to be collected;

selecting one of the plurality of checklists of data items to be collected based upon the combination of the assigned Credit Classification and the determined Type of Review

However, the Office maintains that such missed teachings or suggestions are provided by "Larche/Acosta" (See page 3).

As emphasized during the recent telephone interview, however, Larche discloses a "Checklist Builder" (See Col. 10, lines 1-11), that scans all of the information entered by the user to date, scans states rules and regulations, and generates a checklist of data items that must be completed and submitted for the application to be processed. Note that Larche's checklist is a list of items of a partially completed application that remain to be completed. Larche's Checklist, therefore, is not a one of a plurality of checklists that is selected based upon any criteria, and much less upon the combination of the assigned Credit Classification and the determined Type of Review, as claimed and required by the claims. Instead, Larche's "Checklist Builder" tells the applicant what remaining items remain are left on his or her application for the application to be completed. As noted during the interview, Larche's Checklist, therefore, is built on the fly, based upon previously-entered information of an already existing application, and is not a selected one of a plurality of checklists of data items, selected based upon the combination of the assigned Credit Classification and the determined Type of Review, as claimed herein.

Acosta, on the other hand, teaches for an auditor to generate a sample subset of loan records for audit purposes. See Col. 9, lines 50-60 (relied on in the outstanding Office Action).

Note that Acosta teaches the selection of a representative sample of previously-made loans, for auditing purposes. This does not read on the claimed embodiments, whether considered singly or in combination with Walker and/or Larche.

The Office also points to Col. 5, lines 30-45 as teaching and/or suggesting the subject matter missing in Walker/Larche. However, Col. 5, lines 30-45 do not teach

**selecting one of the plurality of checklists of data items to be collected based upon the combination of the assigned Credit Classification and the determined Type of Review;**

**creating or updating a case folder for the requestor, the case folder including the selected checklist of data items to be collected;**

Instead, this passage of Acosta teaches checklists of questions for which an auditor should obtain answers, for previously existing loans. None of Acosta's checklists are checklists of data items to be collected based upon any criteria, but merely questions that are to be answered by an auditor for loans that have already been made.

Also, it appears that Acosta's checklists may also be prepared on the fly, during the review, as Acosta teaches, at Col. 5, lines 51-58:

Therefore, the checklist is prepared by the system for the auditor to use during the review, and the checkpoints or items on the checklist are particular to the sample being reviewed and are the correct currently applicable ones based on current or applicable regulations and other rules. Although the active checkpoints on a checklist may vary, the historic information for that checkpoint is not lost.

Therefore, based upon the sample of previously made loans being evaluated by the auditor, a checklist is prepared by the system. The checkpoints or items on the checklist are "particular to the sample being reviewed".

Therefore, Acosta, as with Walker and Larche, actually teaches away from providing a plurality of checklists of data items to be completed, selecting one of the plurality of provided checklists and creating or updating a case folder, the case folder including the selected checklist. Note that the claims do not recite any checklist “customization”, as noted in the “Response to Arguments” portion (bottom of page 8 of the outstanding Office Action). Therefore, any customization of checklists that Acosta may teach is not believed to be germane to the pending claims.

Therefore, it is respectfully submitted that the skilled person would not have found the subject matter acknowledged to be missing in Walker et al., in either Larche or Acosta, whether considered singly or in combination. Entirely unsuggested in the applied combination are the claimed steps of:

providing a plurality of checklists of data items to be collected, the data items of each provided checklist being determined at least by a combination of the assigned Credit Classification and the determined Type of Review;

storing the plurality of checklists of data items to be collected;

selecting one of the plurality of checklists of data items to be collected based upon the combination of the assigned Credit Classification and the determined Type of Review;

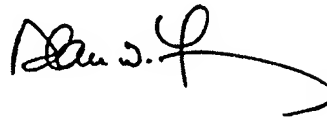
creating or updating a case folder for the requestor, the case folder including the selected checklist of data items to be collected;

Therefore, it is respectfully submitted that the applied combination does not teach or suggest the embodiments defined in claims 1, 34 and 61. Reconsideration and withdrawal of the 35 USC §103(a) rejections are, therefore, respectfully requested.

Applicants’ attorney respectfully submits the present application is in condition for allowance and passage to issue, without requiring the applicant to file an RCE and re-prosecute this application. If any unresolved issues remain, please contact the undersigned attorney of

record at the telephone number indicated below and whatever is needed will be done immediately.

Respectfully submitted,



Date: January 27, 2009

By: \_\_\_\_\_

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